## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF VERMONT

JOSHUA BESSETTE, :

Plaintiff,

v. : File No. 1:13-cv-252-jgm-jmc

:

ANDREW PALLITO, Corrections

Commissioner, and CHRIS BILLADO,
Franklin County Probation Officer,

:

Defendants. :

## ORDER

The Magistrate Judge's Report and Recommendation was filed March 4, 2014.

(Doc. 13.) Absent objection, the Report and Recommendation is AFFIRMED,

APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1).

Defendants' unopposed Motion to Dismiss (Doc. 12) is GRANTED. Accordingly, the Complaint (Doc. 4) is DISMISSED with prejudice on the claim brought under 42 U.S.C. § 1983, and without prejudice on the defamation claim.

It is further certified that any appeal taken in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 30<sup>th</sup> day of April, 2014.

/s/ J. Garvan Murtha

Honorable J. Garvan Murtha United States District Judge